

RESOLUTION NO. 2024 - ____

**A RESOLUTION AUTHORIZING THE CONVEYANCE OF REAL PROPERTY
INTEREST TO ADJACENT PROPERTY OWNER PURSUANT TO
SECTION 125.35 FLORIDA STATES AND SECTION 2-243 BREVARD COUNTY CODE**

WHEREAS, Brevard County, Florida, a political subdivision of the State of Florida, 2725 Judge Fran Jamieson Way, Viera, Florida, 32940, hereafter known as the COUNTY, acquired certain real property in September 1990; and

WHEREAS, said parcel is approximately 0.11-acres and is described and depicted in Exhibit A (hereinafter the “parcel”); and

WHEREAS, the parcel described above is located in Section 22, Township 23 South, Range 36 East, on the east side of North Courtenay Parkway in Merritt Island; and

WHEREAS, Section 125.35, Florida Statutes and Section 2-243, Brevard County Code of Ordinances permits the County to approve a private sale of a parcel of real property when the Board of County Commissioners finds that (1) the parcel is of insufficient size and shape to be issued a building permit for any development to be constructed on the property; or (2) the value of the parcel is \$15,000 or less, as determined by a fee appraiser designated by the board or as determined by the county property appraiser; and (3) the size, shape location, and value of the parcel would make it of use only to one or more adjacent property owners; and

WHEREAS, the Brevard County Property Appraiser has assessed the 2023 market value of the property at \$1,250; and

WHEREAS, the Land Acquisition Section of the Public Works Department has vetted the property with other County departments, and the Natural Resources Management Department requires that a stormwater storage easement be retained over the entire area.

NOW, THEREFORE, BE IT RESOLVED, THAT THE BOARD OF COUNTY COMMISSIONERS OF BREVARD COUNTY, FLORIDA finds as follows:

1. The foregoing recitations are true and correct and, by this reference, incorporated;
2. The Parcel, as described in Exhibit “A,” is of insufficient size and shape to be issued a building permit for any development to be constructed on the property, and the Brevard Property Appraiser has assessed the market value of the property at \$1,200, which is under the \$15,000 threshold at Section 2-243, Brevard County Code of Ordinances; and the size, shape, location, and value of the parcel would make it of use only to one or more adjacent property owners.
3. The County Manager, or designee, is authorized to negotiate the terms of the private sale and shall send notice of the county’s intent to sell the parcel to the

adjacent property owners, using the procedures laid out in Section 125.35, Florida Statutes and Section 2-243, Brevard County Code of Ordinances.

4. The County will record a stormwater storage easement on Parcel ID #23-36-22—00-766.
5. Upon negotiation of terms pursuant to Section 125.35, Florida Statutes, and Section 2-243, Brevard County Code of Ordinances, the County Manager is authorized to sign the necessary documents to effect the sale.
6. The purchaser must pay all closing costs associated with the sale of the parcel, including, but not limited to, any title search, title insurance, documentary tax stamp, ad valorem taxes, recording fees, and fees for document preparation.

DONE, ORDERED, and ADOPTED, in regular session, this ____ day of _____, 2024.

ATTEST:

BOARD OF COUNTY COMMISSIONERS
OF BREVARD COUNTY, FLORIDA

Rachel Sadoff, Clerk

Jason Steele, Chair

As approved by the Board on _____

Exhibit "A"

Brevard County Property Appraiser Parcel 23-36-22-00-766

A parcel of land being a portion of those lands described in Official Records Book 3083, Page 3245 of the public records of Brevard County and being located within Section 22, Township 23 South Range 36 East and being particularly described as follows:

The easterly 160.00 feet of said lands described in Official Records Book 3083, Page 3245, containing 4375 square feet (0.10 acres), more or less.

